

FEBRUARY 24, 2009  
REGULAR CITY COMMISSION MEETING

The City Commission of Dade City, Florida, met in the City Hall Annex Commission Chambers in a regular City Commission meeting on this 24th day of February, 2009, at 5:45 p.m. The following members were present: Mayor Scott Black and Commissioners Camille Hernandez, Steve Van Gorden, Curtis Beebe and Eunice Penix. City staff members present included City Manager William C. Poe, Jr., City Clerk/Finance Director James D. Class, Deputy City Clerk Joanna Akers, City Attorney Karla Owens, City Engineer/Public Works Director Jose Gil, and Police Chief Raymond Velboom.

The meeting was called to order by Mayor Black, and invocation was given by City Clerk Jim Class, followed by the Pledge of Allegiance to The Flag.

PUBLIC COMMENT

Kathy Lambert presented a framed poem to Commissioner Penix in recognition of Black History Month.

MINUTES

The minutes of the January 27, 2009 regular City Commission meeting were approved as individually read. The minutes of the February 10, 2009 regular City Commission meeting were distributed.

PUBLIC HEARINGS

The following memorandum dated February 18, 2009 was noted:

**To:** Mayor and Members of the City Commission  
**From:** Karla S. Owens, City Attorney/Community Development Director  
**Subject:** Proposed Creation of Community Redevelopment Area No. 2  
(Entire memorandum can be found in the City Clerk's file)

The proposed resolution was read by title only by the City Clerk, as follows:

RESOLUTION NO. 2008-0987

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA FINDING THAT ADDITIONAL AREAS MEETING THE REQUIREMENTS OF CHAPTER 163, PART III, FLORIDA STATUTES, EXIST IN THE CITY; SETTING FORTH FINDINGS PURSUANT TO SECTION 163.355, FLORIDA STATUTES THAT CREATION OF COMMUNITY REDEVELOPMENT AREA NO. 2 IS NECESSARY FOR THE REDEVELOPMENT AND REHABILITATION OF THE NEW AREA;

DESCRIBING THE BOUNDARIES OF THE NEW AREA; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

City Attorney Karla Owens reviewed the proposed resolution. After discussion and with no one from the public wishing to speak, Commissioner Hernandez made a motion to approve Resolution No. 2008-0987. The motion was seconded by Commissioner Van Gorden, and on a vote the motion passed unanimously. Commissioners Black, Van Gorden, Hernandez, Beebe, and Penix voted "AYE", with no one voting "NAY". (Resolution No. 2008-0987 in its entirety is on file in the City Clerk's office.)

The following memorandum dated January 21, 2009 was noted:

**To:** Honorable Mayor and Members of the City Commission  
**From:** Jose B. Gil, P.E., City Engineer and Public Works Director  
**Subject:** Water & Sewer rate structure  
(Entire memorandum can be found in the City Clerk's file)

The proposed ordinance was read by title only by the City Clerk, as follows:

ORDINANCE NO.: 2009-02

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, AMENDING SECTIONS OF CHAPTER 98 OF THE DADE CITY CODE OF ORDINANCES TO CHANGE RATES AND CHARGES FOR WATER AND WASTEWATER SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

City Engineer Jose Gil reviewed the proposed ordinance and City Manager Billy Poe noted that the City is proposing to address the water pressure issue in the Pines Subdivision. Since this was the time of the advertised public hearing, the following individuals spoke on this ordinance: Patricia Titsworth, regarding water pressure in the Pines; John Finnerty, regarding the effect of increased impact fees on Habitat for Humanity; Jim Shive, regarding water pressure in the Pines and sewer rate caps; Pat Sanuita, regarding water pressure in the Pines; Catherine Stayrook, regarding water pressure in the Pines; Edward Gorecki, regarding water pressure in the Pines; Danté Fraiegari of Metro Development, regarding impact fees for their proposed development; Kathy Lambert, regarding the proposed rate increase; and Tom Vill of Baskerville-Donovan, regarding the financing of the facilities plan. After discussion, Mayor Black passed the gavel to Mayor Pro-Tem Van Gorden and made a motion to approve Ordinance No. 2009-02. The motion was seconded by Commissioner Hernandez, and on a vote the motion passed. Commissioners Black, Van Gorden, and Hernandez, voted "AYE", while Commissioners Beebe and Penix voted "NAY". (Ordinance No. 2009-02 in its entirety is on file in the City Clerk's office.)

CONSENT AGENDA

The following memorandum dated February 18, 2009 was noted:

**To:** Mayor and Members of the City Commission  
**From:** Karla S. Owens, City Attorney/Community Development Director  
**Subject:** Interlocal Agreement for Fire and Building Inspection Services  
(Entire memorandum can be found in the City Clerk's file)

A motion was made by Commissioner Hernandez to approve the interlocal agreement with the City of Zephyrhills for backup fire and building inspection services, as part of the consent agenda. The motion was seconded by Commissioner Beebe, and on a vote the motion passed unanimously.

The following memorandum dated February 18, 2009 was noted:

**To:** Mayor and Members of the City Commission  
**From:** Karla S. Owens, City Attorney/Community Development Director  
**Subject:** Back-up Attorney Contract  
(Entire memorandum can be found in the City Clerk's file)

A motion was made by Commissioner Hernandez to approve the backup attorney contract with Robert C. Burnette, Esq., as part of the consent agenda. The motion was seconded by Commissioner Beebe, and on a vote the motion passed unanimously.

The following memorandum dated February 24, 2009 was noted:

**To:** Mayor and Members of the City Commission  
**From:** Jose B. Gil, P.E., City Engineer and Public Works Director  
**Subject:** Contract with FDOT for Mechanical Sweeping (Contract No. AP398-R1)  
(Entire memorandum can be found in the City Clerk's file)

The following proposed resolution was noted:

#### RESOLUTION NO. 2009-08

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, AUTHORIZING THE MAYOR AND THE CLERK TO ENTER INTO AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR ROUTINE MECHANICAL STREET SWEEPING OF STATE ROAD 52 FROM 21ST STREET TO SR 533, LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF DADE CITY; AND PROVIDING AN EFFECTIVE DATE

A motion was made by Commissioner Hernandez to approve Resolution No. 2009-08 and the agreement with the Department of Transportation for street sweeping, as part of

the consent agenda. The motion was seconded by Commissioner Beebe, and on a vote the motion passed unanimously.

### INTRODUCTION OF PROPOSED ORDINANCES

The following memorandum dated February 17, 2009 was noted:

**To:** Honorable Mayor and Members of the City Commission  
**From:** James D. Class, City Clerk / Finance Director  
**Subject:** Proposed ordinance - Partial lump-sum option for fire pension plan  
(Entire memorandum can be found in the City Clerk's file)

The proposed ordinance was read by title only by the City Clerk, as follows:

#### ORDINANCE NO. 2009-04

AN ORDINANCE OF THE CITY OF DADE CITY, AMENDING THE CITY OF DADE CITY FIREFIGHTERS' RELIEF AND PENSION FUND AS ADOPTED PURSUANT TO ORDINANCE NO. 2003-0820; AS SUBSEQUENTLY AMENDED; AMENDING SECTION 10, OPTIONAL FORMS OF BENEFITS; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

City Clerk Jim Class reviewed the proposed ordinance. After discussion, Commissioner Beebe made a motion to approve the introduction of Ordinance No. 2009-04 and authorize staff to advertise for a public hearing on March 10, 2009. The motion was seconded by Commissioner Penix, and on a vote the motion passed unanimously. (Ordinance No. 2009-04 in its entirety is on file in the City Clerk's office.)

### NEW BUSINESS

The proposed resolution was read by title only by the City Clerk, as follows:

#### RESOLUTION NO. 2009-09

A RESOLUTION OF THE CITY COMMISSION OF DADE CITY, FLORIDA RECOGNIZING THE "BUILDING CITIZENSHIP IN THE COMMUNITY: BACK TO BASICS" INITIATIVE OF THE FLORIDA LEAGUE OF CITIES, INC., AND PLEDGING SUPPORT FOR THIS STATEWIDE EFFORT

Mayor Scott Black reviewed the proposed resolution. After discussion, a motion was made by Commissioner Hernandez to approve Resolution No. 2009-09. The motion was seconded by Commissioner Beebe, and on a vote the motion passed unanimously. (Resolution No. 2009-09 in its entirety is on file in the City Clerk's office.)

CITY COMMISSION ITEMS

Commissioner Hernandez commented on the landfill permit decision, the County homeless plan, and Youth Council activities.

Commissioner Beebe discussed a workshop with representatives from FDOT and CSX on March 24 at 4:00 p.m. regarding the proposed rerouting of trains on the CSX rail line. He also asked staff to look at recent noise complaints under the requirements of the proposed noise ordinance.

Commissioner Penix noted that she has completed the Leadership Pasco class.

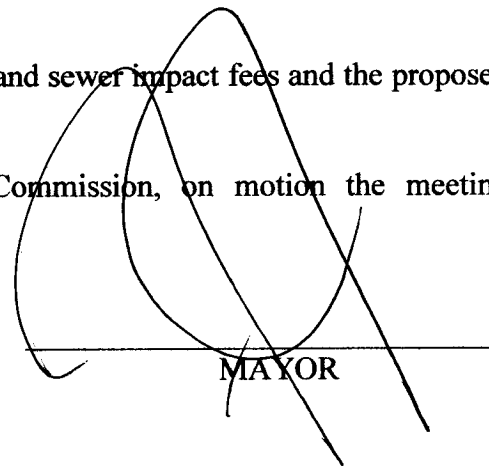
Mayor Black noted that there was a crack in the recently completed sidewalk on 17th Street.

PUBLIC COMMENT

Kathy Lambert commented on various topics.

John Finnerty commented on the increased water and sewer impact fees and the proposed noise ordinance.

There being no further business before the Commission, on motion the meeting adjourned at 7:32 p.m.



MAYOR

ATTEST:

James D. Class  
CLERK